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APR 18, 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON ALAN SIMONS,

Defendant.

2:22-CR-00066-RFB-BNW

Preliminary Order of Forfeiture

This Court finds Jason Alan Simons pled guilty to Count One of a One-Count Criminal Information charging him with receipt or distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2). Criminal Information, ECF No. 4; Change of Plea, ECF No. 8; Plea Agreement, ECF No. 6.

This Court finds Jason Alan Simons agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. 4; Change of Plea, ECF No. 8; Plea Agreement, ECF No. 6.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which Jason Alan Simons pled guilty.

1 The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or
2 any book, magazine, periodical, film, videotape, or other matter which contains any such
3 visual depiction, which was produced, transported, mailed, shipped or received in violation
4 of 18 U.S.C. § 2252A(a)(2) and (2) any property, real or personal, used or intended to be
5 used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property
6 traceable to such property and is subject to forfeiture pursuant to 18 U.S.C. § 2253(a)(1) and
7 2253(a)(3):

- 8 1. a Samsung Galaxy S7 IMEI: 359755078323074;
- 9 2. a Western Digital 4TB My Book External Hard Drive, Model No.
10 WDBJK0040HBK-04, Serial No. WCC4E2PKHXC7;
- 11 3. a Lenovo Desktop Computer, Model No. ThinkCentre M92P, Serial No.
12 MJVRMPP with a Seagate 500GB SATA hard drive, Model No.
13 ST500DM002, Serial No. S2AEYFJH; and
- 14 4. a black computer tower with a Western Digital 500GB SATA hard drive,
15 Model No WD5000AAKS, Serial No. WCASY1067379 and a Seagate
16 500GB SATA hard drive, Model No. ST3500418AS, Serial No.
17 5VM9KAW1

18 (all of which constitutes property).

19 This Court finds that on the government's motion, the Court may at any time enter
20 an order of forfeiture or amend an existing order of forfeiture to include subsequently
21 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
22 32.2(b)(2)(C).

23 This Court finds the United States of America is now entitled to, and should, reduce
24 the aforementioned property to the possession of the United States of America.

1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
2 DECREED that the United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
4 rights, ownership rights, and all rights, titles, and interests of Jason Alan Simons in the
5 aforementioned property are forfeited and are vested in the United States of America and
6 shall be safely held by the United States of America until further order of the Court.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
8 of America shall publish for at least thirty (30) consecutive days on the official internet
9 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
10 describe the forfeited property, state the time under the applicable statute when a petition
11 contesting the forfeiture must be filed, and state the name and contact information for the
12 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
13 and 21 U.S.C. § 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
15 or entity who claims an interest in the aforementioned property must file a petition for a
16 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
17 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
18 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
19 right, title, or interest in the forfeited property and any additional facts supporting the
20 petitioner's petition and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
22 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
23 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
24

1 not sent, no later than sixty (60) days after the first day of the publication on the official
2 internet government forfeiture site, www.forfeiture.gov.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
4 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
5 Attorney's Office at the following address at the time of filing:

6 Daniel D. Hollingsworth
Assistant United States Attorney
7 James A. Blum
Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.
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10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
11 described herein need not be published in the event a Declaration of Forfeiture is issued by
12 the appropriate agency following publication of notice of seizure and intent to
13 administratively forfeit the above-described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
15 copies of this Order to all counsel of record.

16 DATED April 18, 2022.
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19 RICHARD F. BOULWARE, II
20 UNITED STATES DISTRICT JUDGE
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